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ACTION AF-00

INFO LOG-00 NP-00 ACQ-00 CIAE-00 INL-00 DODE-00 WHA-00
DS-00 EAP-00 OIGO-00 VC-00 TEDE-00 INR-00 VCE-00
DCP-01 NSAE-00 SSO-00 SS-00 EPAE-00 DSCC-00 DRL-02
NFAT-00 SAS-00 /003W

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FM AMEMBASSY HARARE
TO SECSTATE WASHDC IMMEDIATE 1215
INFO EU MEMBER STATES COLLECTIVE PRIORITY
NSC WASHDC PRIORITY
AMEMBASSY CANBERRA PRIORITY
AMEMBASSY OTTAWA PRIORITY
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PRIORITY

C O N F I D E N T I A L HARARE 000678

SIPDIS

STATE FOR AF, PDAS BELLAMY; ALSO FOR AF/S

PRETORIA PLEASE PASS A/S KANSTEINER

NSC FOR SENIOR DIRECTOR FRAZER

E.O. 12958: DECL: 02/20/04

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [ZI](#)

SUBJECT: COMMONWEALTH OBSERVER GROUP GIVES
THUMBS-DOWN ON ZIMBABWEAN ELECTION

CLASSIFIED BY DCM REWHITEHEAD DUE TO 1.5 (B) AND (D).

REF: HARARE 665

1. (U) AFTER A ONE-HOUR DELAY, COMMONWEALTH OBSERVER GROUP (COG) HEAD OF MISSION ABDULSALAMI ABUBAKAR READ TO THE ASSEMBLED PRESS AND DIPLOMATIC CORPS IN INTERIM STATEMENT ON THE ZIMBABWEAN ELECTION THAT WAS SHORT BUT CERTAINLY NOT SWEET TO GOZ EARS. ABUBAKAR REMARKED ON THE COMMONWEALTH'S ENGAGEMENT IN TRYING TO RESOLVE TO THE ZIMBABWEAN "CRISIS" SINCE ABUJA AND SAID THAT THE COG TERMS OF REFERENCE REQUIRED THAT IT PRONOUNCE ON THE ELECTORAL PROCESS AND WHETHER OR NOT THE ELECTION ALLOWED THE FREE EXPRESSION OF THE VOTERS' WILL.

2. (U) ON THE FIRST POINT, HE SAID THAT COG HAD BEEN DEEPLY IMPRESSED BY THE DETERMINATION OF ZIMBABWEANS TO EXERCISE THEIR DEMOCRATIC RIGHTS UNDER "DIFFICULT CONDITIONS." HE CONTINUED THAT A HIGH LEVEL OF POLITICALLY MOTIVATED VIOLENCE MARRED THE PRE-ELECTION PERIOD, MOST OF IT PERPETRATED BY SUPPORTERS/MEMBERS OF THE RULING PARTY AGAINST SUPPORTERS/MEMBERS OF THE OPPOSITION. HE SPECIFICALLY CITED YOUTH MILITIA ORGANIZED BY THE GOZ OSTENSIBLY AS A TRAINING PROGRAM THAT HAD CARRIED OUT A "SYSTEMATIC CAMPAIGN OF INTIMIDATION AGAINST THE MDC." THIS HAD CREATED A "CLIMATE OF FEAR AND SUSPICION."

3. (U) ABUBAKAR SAID THAT POLICE HAD NOT TAKEN ACTION AGAINST OR INVESTIGATED INCIDENTS OF VIOLENCE AND BEEN "HIGH-HANDED" WITH THE MDC AND "LENIENT" TO ZANU-PF.

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THIS HAD ADVERSELY AFFECTED THE RULE OF LAW IN ZIMBABWE.

4. (U) HE NEXT STATED THAT THE LEGISLATIVE FRAMEWORK FOR THE ELECTION WAS BASICALLY FLAWED. THE PUBLIC ORDER AND SECURITY ACT IN PARTICULAR HAD PREVENTED FREE MOVEMENT AND FREEDOM OF SPEECH AND HAD NOT ALLOWED THE OPPOSITION TO CAMPAIGN. THE STATEMENT CITED OTHER REGULATIONS HAD KEPT CIVIL SOCIETY FROM PLAYING ITS NORMAL ROLE, INCLUDING UNNECESSARY RESTRICTIONS THAT PREVENTED DEPLOYMENT OF DOMESTIC OBSERVERS. THERE WAS A LACK OF TRANSPARENCY IN THE REGISTRATION PROCESS. THE STATEMENT CRITICIZED THE WIDE DISCRETION GIVEN THE REGISTRAR GENERAL AND SAID THAT THE INCUMBENT PARTY HAD USED STATE RESOURCES FOR ITS CAMPAIGN, IN PARTICULAR THE GOVERNMENT'S NEAR MONOPOLY ON THE BROADCAST MEDIA.

5. (U) THE STATEMENT CONTINUED THAT MANY COULD NOT VOTE BECAUSE OF THE REDUCTION OF POLLING STATIONS IN URBAN AREAS. SUCH A PHENOMENON DID NOT EXIST IN RURAL AREAS. ABUBAKAR CITED "INEXPLICABLE" DELAYS IN HONORING A HIGH COURT RULING TO OPEN POLLING STATION FOR A THIRD DAY OF VOTING IN HARARE AND CHITUNGWIZA. THE REPORT CONCLUDED THAT "CONDITIONS IN ZIMBABWE DID NOT ADEQUATELY ALLOW FREE EXPRESSION OF THE WILL OF THE ELECTORS."

16. (C) THE AUSTRALIAN HIGH COMMISSIONER AND AN AUSTRALIAN MEMBER OF COG TOLD US THAT THE HARD-HITTING STATEMENT HAD BEEN THE FOCUS OF INTENSE WRANGLING, WITH NAMIBIAN AND KENYAN DELEGATES (AND TO A LESSER DEGREE THE SOUTH AFRICANS) ALIGNED AGAINST ALL OTHER MEMBERS OF THE DELEGATION, INCLUDING OTHER AFRICANS. THEIR
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ATTEMPTS TO DELETE LANGUAGE CRITICAL OF THE GOZ FAILED WHEN THE OTHERS THREATENED TO BRING THE ISSUE TO A VOTE AND FORCE THEM TO WALK OUT. THE AUSTRALIAN OBSERVER SAID THAT HE DID NOT THINK THAT IT HAD ULTIMATELY COME TO THAT, BUT THAT CONSENSUS WAS BY NO MEANS UNIVERSAL. HE ADDED THAT THERE WOULD BE AN EVEN MORE BRUISING STRUGGLE OVER THE DRAFT OF THE FINAL REPORT, WHICH WILL CONTAIN A RECOMMENDATION ABOUT WHETHER OR NOT ZIMBABWE SHOULD BE SUSPENDED FROM THE COMMONWEALTH.

17. (C) COMMENT. DESPITE ITS INTERNAL RIFTS, THE COMMONWEALTH HAS JOINED RANKS WITH SADC-PF AND THE NORWEGIANS IN PUBLICLY CONDEMNING THE CONDITIONS UNDER WHICH THE ELECTION TOOK PLACE (REFTEL), AND BY EXTENSION CALLING INTO QUESTION ITS LEGITIMACY. THIS OUTCOME GENERATED CONSIDERABLE EMOTION. THE AUSTRALIAN OBSERVER FUMED THAT HE FOUND IT INCONCEIVABLE THAT SOME OF THE AFRICAN OBSERVERS WOULD ARGUE THAT AFRICAN ELECTIONS SHOULD BE JUDGED BY MORE LENIENT STANDARDS THAN ELECTIONS HELD ELSEWHERE IN THE WORLD.

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